

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA  
FOURTH DIVISION**

Walden Fleet Group, Inc., Southview  
Chevrolet, Co., and Denny Hecker's  
Cadillac – Pontiac – GMC, Inc,

*Plaintiffs,*

-vs-

GMAC, LLC,

*Defendant.*

**NOTICE OF REMOVAL**

Defendant GMAC, LLC for its Notice of Removal to Federal Court respectfully states:

**NATURE OF THE ACTION**

1. This action is removed on behalf of the Defendant in a civil action in District Court, State of Minnesota, County of Hennepin entitled *Walden Fleet Group, Inc., Southview Chevrolet, Co., and Denny Hecker's Cadillac – Pontiac – GMC, Inc., v. GMAC, LLC*, State District Court file number unknown.

2. Plaintiffs tendered the Summons and Complaint to GMAC's counsel for admission of service on July 29, 2009; Defendant, through counsel, admitted service of the Summons and Complaint on August 3, 2009. A true and correct copy of the Summons and Complaint is filed herewith by Defendant.

3. This state action is one that may be removed to this Court by defendant, pursuant to 28 U.S.C. § 1441 as a civil action in which jurisdiction is founded on diversity of citizenship and amount.

4. Plaintiffs are, at the time of filing of this action, corporations incorporated under the laws of the State of Minnesota.

5. Defendant GMAC, LLC is now, and as of the time of commencement of this action in state court, a Delaware corporation, properly known as GMAC, Inc.

6. This action, as alleged, is for a matter in controversy in excess of the sum or value of seventy-five thousand dollars, exclusive of interest and costs. In that regard, Defendant is filing herewith the affidavit of Christopher Boyles as to the amount in controversy.

7. Had this action been brought here initially, the Court would have had original jurisdiction over the subject matter under 28 U.S.C. §1332.

8. This notice is filed within thirty days after receipt by Defendant of the Summons and Complaint, and within one year of the commencement of the action by Plaintiffs. It is therefor timely within the meaning of 28 U.S.C. §1446(b).

**WHEREFORE**, Defendant GMAC requests that this case proceed in this court as an action properly removed thereto.

**FOLEY & MANSFIELD, P.L.L.P.**

Dated: August 21, 2009

By: 

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